IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4575 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

COUNCIL OF SOCIAL JUSTICE

Versus

GUJARAT UNIVERSITY

Appearance:

1. Special Civil Application No. 4575 of 1992

MR KETAN A DAVE for Petitioners

MR MAZGAOKAR for MR SN SHELAT for Respondent Nos. 1 & 2

MR PR ABICHANDANI AGP for Respondent No.3

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 30/07/2002

ORAL JUDGEMENT

#. Heard learned counsel for the parties, Mr.Ketan Dave for the petitioner, Mr.Mazgaokar for Mr.Shelat for respondent Nos.1 and 2 and Mr.P.R.Abichandani, learned AGP for respondent No.3.

#. The petitioner Council for Social Justice, which is a voluntary organization has filed this petition through its President, Mr.Valjibhai Patel and challenged the impugned circular dated 25.6.1992 issued by the respondent-University in so far as the same affects the principle of inter-transferability and the quota of reserved seats.

#. Initially, notice was issued in this petition way back on 10.7.1992 and, thereafter, matter was adjourned from time to time and adjourned on 9.9.1992 it was admitted by the learned Single Judge of this court. However, no interim relief was granted in view of the fact that concerned students were given admission. In response to the notice of admission reply affidavit is also filed by the respondent-University.

#. However, considering the fact that this petition is pending in this court since last 10 years without any further development in the matter and that all the students were given admission. Not only that they have completed their education during pendency of this petition, therefore, today I am not inclined to go into the legality and validity of the impugned circular dated 25.6.92. The said circular can be considered at an appropriate time in appropriate matter.

#. With these observations, this petition is disposed of without expressing any opinion regarding issuance of the impugned circular dated 25.6.92. Rule discharged with no order as to costs.

(B.J.Shethna, J.)
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